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Attorney's Docket No. 5649-1202

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Se-Jin Ahn, et al.

Serial No.: 10/696,615

Filed: October 28, 2003

For: SEMICONDUCTOR MEMORY DEVICES HAVING OFFSET TRANSISTORS
AND METHOD OF FABRICATING THE SAME

Date: February 10, 2004

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.10(e)

Sir:

As set forth in 37 CFR 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of October 28, 2003 rather than October 29, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of October 28, 2003 being the correct filing date for the application, which was properly filed under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2; and
2. A true and accurate copy of the Express Mail Pickup Service Statement dated October 28, 2003.
3. A true and accurate copy of the official United States Postal Service (USPS) Track and Confirm page, confirming deposit with the USPS at 5:30 p.m. on October 28, 2003.

This petition is being filed promptly after applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of October 28, 2003 as the filing date pursuant to 37 CFR 1.10.

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due



Inventor: Se-Jin Ahn et al.
Serial No.: 10/696,615
Filed: October 28, 2003
Page 2 of 2

with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

D. Randal Ayers
Registration No. 40,493

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec, P.A.
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 10, 2004.

Michele P. McMahan



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MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
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8649-1202 DRA/MPM 10/28/03

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DRA/MP Date: 10/28/03
Doc. No. 5649-1202
Serial No. TBA
Inventor: Pho et al.

Sir: Kindly acknowledge receipt of the accompanying items listed below
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<input checked="" type="checkbox"/> No. of Claims <u>44</u>	<input type="checkbox"/> Amendment & Amend. Transmittal
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<input checked="" type="checkbox"/> Assignment and Fee - <u>copy</u>	<input type="checkbox"/> Issue Fee
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Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

031088 U.S. PTO
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

ATTY DOCKET NO.: 5649-1202

DATE: October 28, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☒ a patent application
☐ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: _____; filed _____, the disclosure of which is incorporated herein by reference in its entirety.
☒ and claims priority to Korean Patent Application Serial No. 2002-66086; filed October 29, 2002.

Inventor(s) or Application Identifier:

Su-jin Ahn; Se-ho Lee; All of the Republic of Korea

Entitled: **SEMICONDUCTOR MEMORY DEVICES HAVING OFFSET TRANSISTORS AND METHODS OF FABRICATING THE SAME**

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 28 pages of Specification (including 44 claims)
3. ☒ 13 sheet of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
 - a. ☒ newly executed (*original or copy*)
 - b. ☐ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below]
 - c. ☐ **DELETION OF INVENTOR(S)** (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☐ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
7. ☐ Microfiche Computer Program (*Appendix*)

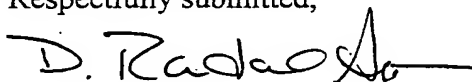
8. ☒ Assignment papers (cover sheet(s) and document(s))
9. ☐ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☐ Information Disclosure Statement, PTO-1449, and _____ references cited
11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☐ Certified Copy of Korean Application No.; Filed 14. ☐ Sequence Listing/ Sequence Listing Diskette
- a. ☐ computer readable copy
- b. ☐ paper copy
- c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☐ Other:

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<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 140 = \$	+ 280 = \$
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- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$ _____
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
- b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



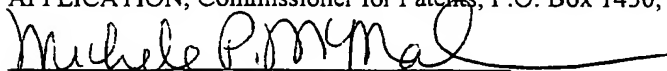
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Michele P. McMahan

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